

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2003:

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Present

Vote

James S. Burgett, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_, which carried \_\_, the following ordinance was adopted:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 2-4  
TO DELETE THE REQUIREMENT THAT JOB APPLICANTS BE  
REQUIRED TO PAY THE COST OF FINGERPRINTING AND  
CRIMINAL RECORDS CHECKS

BE IT ORDAINED by the York County Board of Supervisors, this \_\_\_\_ day of \_\_\_\_, 2003, that section 2-4, York County Code, be and it is hereby amended, effective as of July 1, 2003, to read and provide as follows:

**Sec. 2-4. Authority to obtain criminal history record information.**

- (a) Whenever in the course of investigations of applicants who have been selected for public employment it is necessary in the interest of the public welfare or safety to determine if the past criminal conduct of the applicant is compatible with the nature of the employment, or when the provisions of this Code require the disclosure of criminal history information by an applicant, or the applicant's employees, in order for some privilege to be granted by the county or when such Code requires a criminal history record check of an applicant, or the applicant's employees, the county administrator shall be authorized to obtain the criminal history record of such applicant, or such applicant's employees, from the Virginia Central Criminal Records Exchange or other appropriate sources.
- (b) The county administrator is specifically authorized pursuant to the provisions of Section 19.2-389 (A) (7), Code of Virginia, to request from the Virginia Central Criminal Records Exchange the criminal history record of any applicant who has

been selected for public employment whose anticipated duties or responsibilities would require (i) access to public records or to personal information as defined in Section 2.1-379, Code of Virginia, (ii) accountability for public funds, (iii) access to county supplies, (iv) entry into secured areas outside of working hours, (v) right of entry onto private property, or (vi) child care or assistance to the elderly or disabled. The applicant shall submit to fingerprinting and shall provide the county administrator with personal descriptive information to be forwarded along with the applicant's fingerprints through the Virginia Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal record history information regarding the applicant.

~~The applicant shall pay the cost, if any, of the fingerprinting and of the criminal records check.~~

- (c) The criminal history record information provided in accordance with this section shall be used solely to assess eligibility for public employment or service, or for the permit applied for, and shall not be disseminated to any person not involved in the assessment process. If an applicant is denied employment because of information appearing in his criminal record history, the county administrator or his designee shall notify the applicant that information from the Virginia Central Criminal Records Exchange contributed to such denial.